### **BYLAWS**

## State Emergency Medical and Trauma Services Advisory Council

## ARTICLE I Name

The name of this organization shall be the State Emergency Medical and Trauma Services Advisory Council, herein referred to as the "Council," created pursuant to C.R.S. § 25-3.5-104, operating within the Department of Public Health and Environment, Health Facilities and Emergency Medical Services Division, herein referred to as the "Department."

## ARTICLE II Duties of the Council

#### Section 1. The Council shall:

- (a) Advise the Department on all matters relating to emergency medical and trauma services programs;
- (b) Make recommendations concerning the development and implementation of statewide emergency medical and trauma services;
- (c) Identify and make recommendations concerning statewide emergency medical and trauma service needs;
- (d) Review and approve new rules and modifications to rules prior to the adoption of such rules or modification by the State Board of Health;
- (e) Review and make recommendations concerning guidelines and standards for the delivery of emergency medical and trauma services, including:
  - (I) Establishing a list of minimum equipment for ambulance vehicles operated by an ambulance service licensed in this state and making recommendations on the process used by counties in the licensure of ambulance services:
  - (II) Developing curricula for the training of emergency medical personnel; and
  - (III) Making recommendations on the verification process used by the Department to determine facility eligibility to receive trauma center designation.
- (f) Seek advice and counsel, up to and including the establishment of special ad hoc committees with other individuals, groups, organizations or associations when in the judgment of the Council such is advisable to obtain necessary expertise for the purpose of meeting the Council's responsibilities under this Article II. The Council is authorized to establish special committees for the functions described in this paragraph (f);

(g) Review and make recommendations to the Department regarding the amount, allocation, and expenditure of funds for the development, implementation, and maintenance of the statewide emergency medical and trauma system.

## ARTICLE III Members

- Section 1. Membership shall be in accordance with C.R.S. § 25-3.5-104.
- Section 2. There shall be thirty-two members.
- Section 3. Membership shall reflect, as equally as possible, representation of urban and rural members.
- Section 4. Twenty-five of these members shall be appointed by the Governor:
  - (a) At least one of these members shall be from each of the regional emergency medical and trauma advisory council planning areas established in C.R.S. § 25-3.5-704.
  - (b) No more than thirteen shall be of the same political party.
  - (c) These twenty-five members shall comprise the voting membership of the Council.
  - (d) These members shall be from the following categories:
    - (I) A fire chief of a service that provides pre-hospital care in an urban area;
    - (II) A fire chief of a service that provides pre-hospital care in a rural area;
    - (III) An administrative representative of an urban trauma center;
    - (IV) An administrative representative of a rural trauma center;
    - (V) A licensed physician who is a pre-hospital medical director;
    - (VI) A board-certified physician certified in pediatrics or pediatric subspecialty;
    - (VII) A board-certified emergency physician;
    - (VIII) A flight nurse of an emergency medical service air team or unit;
    - (IX) An officer or crew member of a volunteer organization who provides pre-hospital care;
    - (X) An officer or employee of a public provider of pre-hospital care;
    - (XI) An officer or employee of a private provider of pre-hospital care;
    - (XII) A representative of a government provider of pre-hospital care;
    - (XIII) Three county commissioners or council members from a city and county, two of whom shall represent rural counties and one of whom shall represent an urban county or city and county;

- (XIV) A board-certified surgeon providing trauma care at a level I trauma center:
- (XV) A board-certified surgeon providing trauma care at a level II trauma center;
- (XVI) A board-certified surgeon providing trauma care at a level III trauma center;
- (XVII) A board-certified neurosurgeon involved in providing trauma care at a level I or II trauma center;
- (XVIII)A trauma nurse coordinator;
- (XIX) A registered nurse involved in rural emergency medical and trauma services care;
- (XX) A regional council chair;
- (XXI) A county emergency manager; and
- (XXII) Two representatives of the general public, one from a rural area and one from an urban area.
- (e) These members shall serve for terms of three years each:
- (f) Of these members first appointed to the Council,
  - (I) Eight shall be appointed for a term of one year,
  - (II) Nine shall be appointed for terms of two years, and
  - (III) Eight shall be appointed for terms of three years.
- (g) Any member who has two consecutive unexcused absences from meetings of the council shall be deemed to have vacated the membership and the Governor shall fill such vacancy as provided in this Section 4 for the remainder of the un-expired term.
- (h) Representative and ex-officio members of the Council shall participate in an orientation process provided by Department staff.

#### Section 5. Seven members of the Council shall be ex-officio, non-voting members:

- (a) These members shall be from the following categories:
  - (I) A representative of the State Coroner's Association, as selected by the Association;
  - (II) The Director of the State Board for Community Colleges and Occupational Education or the Director's designee;
  - (III) The manager of the telecommunication services of the Colorado Information Technology Services in the Department of Personnel, General Support Services, or the manager's designee:
  - (IV) The Executive Director of the Department of Public Health and Environment or the Director's designee;
  - (V) The Director of the Office of Transportation Safety in the Department of Transportation, or the Director's designee;

- (VI) A representative from the State Sheriffs' Association, as selected by the Association;
- (VII) A representative from the Colorado State Patrol, as selected by the Chief of the Colorado State Patrol.
- (b) Vacancies in any ex-officio membership shall be filled for the remainder of the member's un-expired term by the same mechanism as the initial appointment.

Section 6. Members of the Council shall be reimbursed for actual and necessary expenses incurred in the actual performance of their duties. Vouchers for expenditures shall be subject to the approval by the Director of the Department.

## ARTICLE IV Officers

Section 1. Elected officers of the Council shall be the Chairperson and the Vice Chairperson:

- (a) These officers shall be elected from among the voting members of the Council.
- (b) The election shall be at the first meeting of the Council and then annually at the first meeting held after June 30 in each calendar year thereafter or at such other time as may be fixed by resolution of the Council.
- (c) The Chairperson and Vice Chairperson shall be elected by majority vote of the ballots cast for the office.
- (d) No elected officer shall hold more than one office at a time.
- (e) The Chairperson or Vice Chairperson may be removed from office:
  - (I) At any time for cause the Council may deem sufficient, by a vote of three-fourths of the entire voting membership present. This vote shall take place at a meeting called for that purpose;
  - (II) If an officer is removed at such meeting, an election for a successor shall take place at the same meeting without previous notice of the election.

Section 2. Terms of the Chairperson and Vice Chairperson shall be one year commencing at the close of the meeting at which they were elected.

- Section 3. A vacancy in office shall exist in the event of an officer's ineligibility to hold office, death, resignation or two consecutive unexcused absences.
  - (a) In the event the Chairperson position is vacated due to reasons identified in Section 3, the Vice Chairperson shall assume the role for the remainder of the term.
  - (b) In the event the Vice Chairperson position is vacated due to reasons identified in Section 3, a special election shall be conducted at the next regular meeting of SEMTAC in order to fill the vacancy. Nominations will be accepted at the meeting and an election will be conducted as described in Article VII following the close of nominations. The newly elected Vice Chairperson shall serve the remaining term.

### Section 4. Duties of the Chairperson shall be to:

- (a) Preside at all meetings of the Council.
- (b) Observe and enforce the bylaws and policies of the Council.
- (c) Appoint all Council members to Council committees immediately following, as practicable, the election of officers and establishment of committees, subject to confirmation by a majority vote of the Council.
- (d) Perform all such other duties incident to the office as provided by these bylaws, as prescribed by the Governor, and by the parliamentary authority.

#### Section 5. Duties of the Vice Chairperson shall be to:

- (a) Exercise the functions of the Chairperson in the absence, during the absence, or during the inability of the Chairperson to perform, or upon the Chairperson's request.
- (b) Perform other duties the Chairperson may prescribe.

Section 6. The non-elected officer of the Council shall be the Executive Secretary who shall be the Executive Director of the Department or the Director's designee;

- (a) The duties of the Executive Secretary shall be to:
  - (I) Monitor attendance, rule and report on unexcused absences;
  - (II) Receive resignations, written notices of impending vacancies or notices of change in status in the ex-officio members, and communicating with the appropriate appointing authority to fill such vacancies;
  - (III) Receive resignations and written notices of impending vacancies or notices of change of status in the voting membership and communicating with the Governor during the process of filling such vacancies;

- (IV) Notify all Council members and announce to the public, in a manner prescribed by the Council, the time and place of Council meetings and meetings of the Council's committees and task forces at least ten working days prior to such meetings and cancellations of such;
- (V) Record, maintain and distribute accurate minutes of all Council and Council committee meetings;
- (VI) Make the minutes available to the public through the Department; (VII) Distribute to Council members the minutes of the previous meetings, the agenda of any Council meetings and any supplemental materials approved by the Chairperson pertaining to such meetings at least ten working days prior to such meetings;
- (VIII) Process vouchers for reimbursement for council members' expenses;
- (IX) Maintain accurate and up-to-date lists of members of the Council, all Council Committees, ad hoc committees and task forces.
- (X) Perform such other administrative duties as requested by the Chairperson.
- Section 7. In the absence of both the chair and vice chair at any meeting in which a quorum is present, the Members present shall elect a chair to serve for that meeting only.

Section 8. In the absence of the executive secretary, the department shall identify a replacement for that meeting only.

## ARTICLE V Meetings

- Section 1. The Council shall meet at least quarterly at the call of the Chairperson or at the request of any seven members of the Council in accordance with Section 7 of this article.
- Section 2. A quorum of the Council meetings shall be 17.
  - (a) No proxy or absentee voting shall be allowed, however, at the discretion of the Council Chairperson, members may be allowed to attend by teleconference, or other electronic means, in the event of exigent circumstances;
  - (b) Any meeting may be cancelled by the Chairperson, three working days prior to such meeting, when, in consultation with the Executive Secretary, the Chairperson determines there will be no quorum present at such meeting.
- Section 3. In the absence of a quorum, any business transacted is null and void, except:
  - (a) to fix the time to which to adjourn,
  - (b) to adjourn

- (c) to recess, or
- (d) to take measures to obtain a quorum.
- Section 4. All meetings of the Council shall be open to the public, unless called to Executive Session in accordance with regulations of the Colorado open meetings law, and the Council shall hear testimony from the public in attendance in a manner as prescribed by the Council.
- Section 5. All recommendations from the Council to the Board of Health and to the Department shall have been adopted by majority vote of the Council.
- Section 6. No individual member shall make a statement of policy that purports to be that of the Council unless the Council shall have adopted such policy, but no one shall be prohibited from stating his or her personal opinions, provided they are clearly identified as such.
- Section 7. Special Meetings: Special meetings of the Council may be called by the chairperson or at the request of any seven members of the Council. The Chair may fix the time and place for holding any special meeting of the Council. Any special meeting shall be limited in agenda and action to the specific purpose for which the meeting was called.
  - (a) Notice Requirements. Notice of each special meeting of the Council stating the date, time and place of the meeting shall be given to each member at his or her address on file with the Department, at least five days prior to the meeting, if the notice is given by first class, certified or registered mail, or at least two days prior to the meeting, if the notice is given by personal delivery, private carrier, telephone, facsimile, electronic transmission or any other form of wire or wireless communication. The method of notice need not be the same as to each member. Written notice, if given a comprehensible form, is deemed given upon the earliest of:
    - (I) the date received;
    - (II) five days after its deposit in the United States mail, as evidenced by the postmark, if mailed correctly addressed and with first class postage affixed; and
    - (III) the date shown on the return receipt, if mailed by registered or certified mail, return receipt requested, and the receipt is signed by or on behalf of the addressee. Oral notice is deemed given effective when communicated in a comprehensible manner.
    - Notice transmitted by facsimile, electronic transmission or other form of wire or wireless communication is deemed given when the transmission is complete. Public notice will be provided as specified in statute or regulation for the minimum notice period allowable.
  - (b) Waiver of Notice. A member may waive notice requirements for any meeting before or after the time and date of the meeting stated in the notice. Such waiver

- shall be delivered to the Department's EMTS Section for filing with the department records. A member's attendance at or participation in a meeting constitutes waiver of notice requirements.
- (c) Attendance. For special meetings, Council members may attend in person at the location specified in the meeting notice, or by telephone conference call as may be arranged by Department staff.

#### **ARTICLE VI**

### Committees, Subcommittees, Task Forces and Ad Hoc Committees

- Section 1. Business of the Council will be routinely conducted through the use of groups established to provide guidance to the Council, the Department, or both. Groups will be established as follows:
  - (a) Committees of the Council may be established to provide specific advice to the Council.
  - (b) Task forces may be established and dissolved by the Council as needed to further the business of the Council.
  - (c) It may be beneficial in order to further the business of the Department and the Council to have Departmental Committees meet jointly with Council committees, subcommittees or task forces. Such joint meetings will be held in a manner prescribed by the EMTS Section Chief, in consultation with the Council Chair.
- Section 2. Committees of the Council shall be established annually by majority vote of the Council at the next regular meeting following the election of the officers:
  - (a) Committee membership shall consist of Council members appointed by the Chairperson of the Council as prescribed in Article IV(4)(c); except where inconsistent with other state statutes or federal requirements.
    - (I) Following election of officers, Council members shall submit their requests for committee assignment to the Chairperson or designee no later than August 31.
    - (II) The Chairperson will appoint the committee members and the initial committee chairperson by September. Committee assignments may or may not reflect the requests by Council members.
    - (III) All committees will elect their permanent chairpersons for the year at the first meeting following September 15.
    - (IV) Committee appointments will be considered in a manner that will maximize the likelihood that a member will be able to attend committee meetings without conflict from multiple committee assignments.
  - (b) No Committee of the Council shall consist of less than three voting Council members.
  - (c) Each Council member shall serve as a member on at least one committee or task force.

- (I) Ex-officio members may serve on committees or task forces. Ex-officio members shall be voting members and count toward the minimum and maximum membership as described in Section (b) above and may serve as committee chairs.
- (d) Members of the committees shall elect a Chairperson and Vice Chairperson from among its members:
  - (I) at the first meeting of the committee following September 15, (II) at such other time as may be fixed by resolution of the Council, or (III) at any meeting during which a committee Chairperson announces a
  - (III) at any meeting during which a committee Chairperson announces a vacancy or resignation of the Committee Chairperson or Vice Chairperson;
- (e) In the absence of the Chairperson and Vice Chairperson at any meeting in which a quorum is present, the members present shall elect a chair to serve for that meeting only;
- (f) An individual may serve as the permanent chair of only one committee.
- (g) An up-to-date list of committee members shall be maintained by the committee Chairperson, a copy of which shall be remitted to the Council's Executive Secretary;
- (h) An established committee may be dissolved by a majority vote of the council.
- (i) Committees may establish subcommittees comprised of appropriate advisors to include at least one Council member. Subcommittee members must be approved by the voting committee under which it is established, and subcommittee members may include advisors/members who are not committee members. Subcommittees shall report to the Committee under which they were formed. Subcommittees shall dissolve when it is established that their purpose and function is complete or is no longer applicable.
- Section 3. The Council may establish task forces comprised of appropriate advisors to include at least one Council member. Task force members must be approved by the Council, and task force members may include advisors/members who are not Council members. Task forces shall report to the Council and shall dissolve when it is established that their purpose and function is complete or is no longer applicable. Section 4.Ad hoc committees are committees established with other individuals, groups, organizations or associations, pursuant to Article II(f), and shall be established by majority vote at any meeting of the Council:
  - (a) Membership shall be prescribed by the Council Chairperson in consultation with the Executive Secretary of the Council;

- (b) The Council Chairperson shall appoint the chairpersons of ad hoc committees and that chairperson shall come from Council membership;
- (c) An up-to-date list of members of each ad hoc committee shall be maintained by the Chairperson, and shall be remitted to the Executive Secretary of the Council.

Section 5. Meetings of the Council Committees, subcommittees, task forces and any ad hoc committees shall be open to the public in accordance with the Colorado Open Meetings Law and except when prohibited by law, regulation or applicable policy, and shall hear testimony from the public in attendance in a manner as prescribed by the committee:

- (a) Meetings shall be at the call of the Chairperson of the committee.
- (b) Meetings shall be announced at least ten working days prior to the meeting date in a manner as prescribed by the Council.
- (c) A majority of the current membership of Council committees, subcommittees, task forces or of any ad hoc committee shall constitute a quorum of such.
- (d) Members who resigned in or vacated their Council membership in accordance with these bylaws shall not be considered committee members for the purpose of quorum determination.
- (e) No proxy or absentee voting shall be allowed for any member of a committee or task force; however, a committee member may participate by teleconference.
- (f) Meetings of Council committees, subcommittees, task forces and ad hoc committees shall be conducted in the manner as prescribed in the parliamentary authority.
- (g) Minutes of all committee and task force meetings shall be made, copies of which shall be remitted to the Executive Secretary of the Council.

Section 6. Recommendations of Council committees, subcommittees, task forces and ad hoc committees to the Council shall have been adopted by consensus of those present at the meeting. Should consensus not be attainable, then the recommendation shall be by majority vote of the respective committee members at a meeting.

Section 7. Reports to the Council shall include a summary of public testimony heard in developing the committee recommendation.

## Section 8. Joint Meetings

- (a) In the event that two or more committees schedule a joint meeting or series of joint meetings, the members of the above respective groups shall select a chair for that joint meeting or series of meetings.
- (b) A quorum for each individual joint meeting shall be established when each of the respective groups establishes a quorum of voting members. Once a quorum is established for the joint meeting, all voting members shall retain one vote regardless of dual group membership.

# ARTICLE VII Voting and Balloting Procedures

Section I. In any instance in which a majority vote is called for

- (a) The presiding officer may call for a show of hands or standing vote and such voting method shall determine the result of the vote; except,
- (b) In the case of a candidate election where a majority is not discernible in Section 1(a) of this article, the vote shall be by secret ballot.

## **ARTICLE VIII Amendment of Bylaws**

- Section 1. The bylaws may be amended at a meeting of the Council:
  - (a) by three-fourths vote provided that such amendment was submitted to the Council Chairperson and the Executive Secretary and remitted to all members of the Council at least ten working days prior to the meeting at which such amendment is to be offered.
- Section 2. Adopted amendments shall take effect immediately upon adoption.

#### **ARTICLE IX**

#### **Parliamentary Authority**

The latest edition of ROBERT'S RULES OF ORDER NEWLY REVISED shall govern the Council, its committees, subcommittees and ad hoc committees wherever they are applicable and not inconsistent with Colorado Revised Statutes or these bylaws.

- Section 1. The Council shall appoint a Parliamentarian:
  - (a) The position of Parliamentarian shall be filled by a Council member who shall be appointed by the Council Chairperson and confirmed by three-fourths vote of the Council.

- (b) The Parliamentarian shall serve until replaced.
- (c) Removal of the Parliamentarian shall be by a three-fourths vote of the Council, or ineligibility to hold office, death, resignation or two consecutive unexcused absences.
- (d) The executive secretary shall be designated as the co-parliamentarian, and shall serve as the Parliamentarian in the appointed Parliamentarian's absence.

#### Section 2. Duties of the Parliamentarian shall be to:

- (a) Facilitate the smooth and orderly conduct of Council discussion and procedural matters based on Council bylaws.
- (b) Develop sufficient expertise to advise the Council on matters or parliamentary procedure.
- (c) Perform any other duties assigned by the Chairperson of the Council.

# ARTICLE X Adoption of Bylaws

These Bylaws shall take effect immediately upon majority vote of Council and signature of Chairperson.

## ARTICLE XI Conflict of Interest

- Section 1. No member of the Council shall be permitted to vote on items brought before the Council, or directly engage in tasks or duties of the Council whereby an immediate personal or financial conflict of interest exists.
  - (a) Any member wishing to abstain from voting shall notify the Council according to the Council's procedural policy.
  - (b) Any Council member wishing to disengage from a required task or duty of the Council shall notify the Council and give citation of possible conflict of interest to the Council Chairperson.
  - (c) Dispensation from voting or duty shall pertain only to the specified vote or duty.

Bylaws amended October 7, 2010:

Daniel J. Noonan Chairperson D. Randy Kuykendall Executive Secretary